

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRENDA ANN SCHWARTZ and PAUL GRANT  
SCHWARTZ,

Plaintiffs,

v.

ACCURATUS CORPORATION, it is own right  
and as successor in interest to Accuratus Ceramic  
Corporation, and MATERION BRUSH INC., c/o  
C T Corporation System,

Defendants.

CIVIL ACTION  
NO. 12-6189

**ORDER**

**AND NOW**, this 24<sup>th</sup> day of March, 2014, upon consideration of the Motions to Dismiss filed by Defendant Materion Brush Inc. (Docket #50) and Defendant Accuratus Corporation (Docket #55) and all supporting and opposing papers, it is hereby **ORDERED** that the Motions are **GRANTED IN PART AND DENIED IN PART** as follows:

1. Accuratus Corporation's Motion to Dismiss (Docket #55) is **GRANTED** with respect to Count I, and Count I is **DISMISSED WITH PREJUDICE**.
2. Accuratus Corporation's Motion to Dismiss (Docket #55) is **DENIED** with respect to Count II.
3. Accuratus Corporation's Motion to Dismiss (Docket #55) is **GRANTED** with respect to Count III, and Count III is **DISMISSED WITH PREJUDICE**.

4. Accuratus Corporation's Motion to Dismiss (Docket #55) is **GRANTED** with respect to Count IV, and Count IV is **DISMISSED WITH PREJUDICE**.
5. Materion Brush's Motion to Dismiss (Docket #50) is **DENIED** with respect to Count V.
6. Materion Brush's Motion to Dismiss (Docket #50) is **DENIED** with respect to Count VI.
7. Materion Brush's Motion to Dismiss (Docket #50) is **GRANTED** with respect to Count VII, and Count VII is **DISMISSED WITH PREJUDICE**.
8. Materion Brush's Motion to Dismiss (Docket #50) is **DENIED** with respect to Count VIII.
9. The Motions of both Defendants (Docket ##50 and #55) are **DENIED** with respect to Count IX.
10. The Motions of both Defendants (Docket ##50 and #55) are **DENIED** with respect to Count X.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
Jeffrey L. Schmehl, J.